



THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor : Benjamin Y.H. Liu et al.

Appln. No. : 09/679,936

Filed : October 5, 2000

For : METHOD AND APPARATUS FOR
CASCADE IMPACTOR TESTING OF
INHALABLE DRUG THERAPIES
RECOVERY FOR CHEMICAL
ANALYSIS

Docket No.: M419.12-0021

3653
#2
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AUG 20 2001
TC 1700

Group Art Unit: 3653

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

I HEREBY CERTIFY THAT THIS PAPER IS BEING
SENT BY U.S. MAIL, FIRST CLASS, TO THE
ASSISTANT COMMISSIONER FOR PATENTS,
WASHINGTON, D.C. 20231, THIS

8 DAY OF AUGUST, 2001.


PATENT ATTORNEY

Sir:

The patents or publications listed on the enclosed PTO Form-1449 are submitted pursuant to 37 C.F.R. § 1.97.

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior Application No. 09/567,552, filed on May 5, 2000. References listed on the enclosed PTO Form 1449 were submitted to and/or cited by the Office in the prior application and copies are therefore not required to be provided herewith under 37 C.F.R. § 1.98(d).

Submitted herewith are copies of two Official Search Reports of the United Kingdom Patent Office in counterpart foreign application No. GB 0014300.8 corresponding to the parent application.

TIME OF FILING

The information disclosure statement is being filed:

1. with the application or within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. In

accordance with 37 C.F.R. § 1.97(b), no statement or fee is required.

2. — after the time period specified in paragraph 1 above, but before the mailing date of a final action under 37 C.F.R. § 1.113 or notice of allowance under 37 C.F.R. § 1.311. Therefore, in accordance with 37 C.F.R. § 1.97(c), submitted herewith is:

(check either A or B below)

- A. a statement as specified in 37 C.F.R. § 1.97(e).
B. the fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c).

3. — after the mailing date of either a final action under 37 C.F.R. § 1.113 or a notice of allowance under 37 C.F.R. § 1.311, whichever occurs first, but before payment of the issue fee. Therefore, Applicant petitions for consideration and submits herewith:

- A. a statement as specified in 37 C.F.R. § 1.97(e);
B. the petition fee set forth in 37 C.F.R. § 1.17(i).

STATEMENT

(only used if No. 2(A) or No. 3 above is checked)

The person(s) signing below certify

(check appropriate paragraph)

that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. § 1.97(e)(1).

OR

that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application

or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. § 1.97(e)(2).

METHOD OF PAYMENT

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123. A duplicate copy of this communication is enclosed.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

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NEW/djb